

PUBLIC LAW 115-270-OCT. 23, 2018

SEC. 2018. SOURCE WATER.

(a) ADDRESSING SOURCE WATER USED FOR DRINKING WATER. Section 304 of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11004) is amended- (1) in subsection (b) (I), by striking "State emergency plan-ning commission" and inserting "State emergency response commission"; and

(2) by adding at the end the following new subsection:

"(e) ADDRESSING SOURCE WATER USED FOR DRINKING WATER.-

"(I) APPLICABLE STATE AGENCY NOTIFICATION.-A State emergency response commission shall- "(A) promptly notify the applicable State agency of any release that requires notice unde1· subsection (a);

"(B) provide to the applicable State agency the informa-tion identified in subsection (b)(2); and (i) promptly forward such notice to any commu-nity water system the source wate1·s of which are affected by the release;

"(ii) forward to the community water system the information provided under paragraph (1 (B); and

'(iii) forward to the community water system the written follow up emergency notice provided under paragraph (I) (C).

"(B) DIRECT NOTIFICATION.-In the case of a State that does not have an applicable State agency, the State emer-gency response commission shall provide the notices and information described in paragraph (1) directly to any community water system the source waters of which are affected by a release that requires notice under subsection (a).

"(3) DEFINITIONS.-In this subsection:

"(A) COMMUNITY WATER SYSTEM.-The term 'commu-nity water system' has the meaning given such term in section 1401(15) of the Safe Drinking Water Act.

"(B) APPLICABLE STATE AGENCY.-The term 'applicable State agency' means the State agency that has primary responsibility to enforce the requirements of the Safe Drinking Water Act in the State."

(C) provide to the applicable State agency a written (b) AVAILABILITY TO COMMUNITY WATER SYSTEMS.-Section 312(e) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11022(e)) is amended- (1) in paragraph (1), by striking "State emergency planning commission" and inserting "State emergency response commis-sion"; and (2) by adding at the end the following new paragraph: "(4) AVAILABILITY TO COMMUNITY WATER SYSTEMS.-

"(A) IN GENERAL.-An affected community water system may have access to tier II information by submitting a -request to the State emergency response commission or the local emergency planning committee. Upon receipt of a request for tier II information, the State commission or local committee shall, pursuant to paragraph (1), request the facility owner or operator for the tier II information and make available such information to the affected community water system.

"(B) DEFINITION.-In this paragraph, the term 'affected community water system' means a community water system (as defined in section 1401(15) of the Safe Drinking Water Act) that receives supplies of drinking water from a source water area, delineated under section 1453 of the Safe Drinking Water Act, in which a facility that is required to prepare and submit an inventory form under subsection (a) (I) is located."